

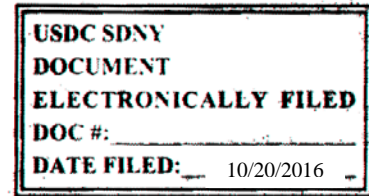
**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X

In re:

**TERRORIST ATTACKS ON
SEPTEMBER 11, 2001**

-----X



03-MDL-1570 (GBD)(SN)

SCHEDULING ORDER

SARAH NETBURN, United States Magistrate Judge:

The parties appeared before the Court on Thursday, October 20, 2016 for a status conference. As set forth at this conference, the following schedule shall govern further proceedings in this case.

Supplemental Briefing. On October 12, 2016 and October 14, 2016, the Court issued Reports and Recommendations in Hoglan v. Islamic Republic of Iran, 11-CV-7550 (GBD)(SN). ECF No. 3358; 3363. These Reports recommended denying plaintiffs' claim for punitive damages without prejudice to supplemental briefing on the issue, found that plaintiffs were not entitled to the New York statutory rate of prejudgment interest, and denied altogether claims brought by certain non-immediate family members. Plaintiffs in Ashton, 02-CV-6977 (GBD)(SN), and Bauer, 02-CV-7236 (GBD)(SN), have followed the Hoglan Reports and abstained at this time from seeking punitive damages, prejudgment interest at New York's statutory rate, and damages for certain non-immediate family members. These plaintiffs seek an opportunity to brief more fully the question of what punitive damages are appropriate in this case, whether the statutory rate of interest is appropriate in certain cases and the scope of family members legally entitled to damages.

The parties may file supplemental briefing in support of a punitive damages judgment by Friday, January 13, 2017. By that same date, the Ashton and Bauer plaintiffs may file a motion

for compensatory damages of non-immediate family members and may address the question of the appropriate prejudgment interest. Any memoranda of law in opposition must be filed by Friday, February 13, 2017. If no opposing briefs are received, the Court will consider the motion fully briefed as of that date.

As per the Court's Individual Rules of Practice, memoranda of law are not to exceed 25 pages in length. The Court would prefer that the Plaintiffs' Executive Committee submit one brief outlining its view on these issues, but is cognizant of the fact that different groups of plaintiffs are represented by separate counsel, and may have differing interests and viewpoints. Therefore, separate briefs will be accepted, but only to the extent that plaintiffs have substantial disagreements as to the proper legal standard to be applied. Cumulative briefing is strongly discouraged.

Status Conferences. Pursuant to the October 17, 2016 Order by the Honorable George B. Daniels, a status conference is scheduled before Judge Daniels and Judge Netburn on Wednesday, January 18, 2017 at 10:30 A.M. Parties should be prepared to discuss the status of the cases pertaining to the Kingdom of Saudi Arabia and the Saudi High Commission for Relief of Bosnia and Herzegovina, and whether motions to amend and/or motions to dismiss the complaint are being contemplated at that time. If motions to amend or dismiss will be filed, parties should be prepared to discuss a briefing schedule for such motions.

A further status conference is scheduled before Judge Netburn on Wednesday, January 18, 2017 at 11:30 A.M. At this conference, the Plaintiffs' Executive Committee and Defendants' Executive Committee shall give oral argument on the fully briefed motion to compel pertaining to defendant Dallah Avco filed on February 8, 2016. ECF No. 3211. Parties should also be

prepared to discuss the status of discovery and whether they anticipate at that time the need to file any additional motions compel.


Draft Amended Complaint in Saudi Arabia Cases. The Plaintiffs' Executive Committee is directed to meet and confer with counsel for the Kingdom of Saudi Arabia and the Saudi High Commission for Relief of Bosnia and Herzegovina, and to serve opposing counsel with a draft amended complaint by Friday, December 30, 2016.

Discovery Schedule. The deadline for the completion of document discovery is Friday, March 31, 2017.

Deposition Testimony. The parties are directed to meet and confer on the scheduling of potential depositions so as to preserve testimony before the close of document discovery.

Status Letter. The Plaintiffs' Executive Committee and Defendants' Executive Committee are directed to submit a status letter to the Court no later than Friday, April 21, 2017. Such letter should describe whether any motions to compel are being contemplated following the close of document discovery, put forth a reasonable briefing schedule for any such motions, and propose a reasonable schedule for depositions to be completed.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: New York, New York
October 20, 2016